

State Supreme Court to visit Yakima Valley

By Ross Courtney
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TOPPENISH — It's not every day the state's highest court visits the Yakima Valley, but the Supreme Court will be here next week.

The nine justices will hear oral arguments Tuesday at Heritage University for three cases, including a worker rest-break pay lawsuit that could have widespread economic ramifications for Central Washington's fruit industry.

To make the austere legal process more accessible, a few times a year the Supreme Court justices step out of the rarified halls of the Temple of Justice at the Capitol Campus in Olympia to hold hearings throughout the state.

They held oral arguments on Feb. 10 this year at Seattle University and have visited Yakima twice in the past — in 1985 at Davis High School and 2004 at Yakima Valley Community College.

The proceedings are open to the public. Some criminal justice students from Heritage plan to attend, while some area high schools have scheduled bus trips for students to watch.

Oral arguments are not trials. Instead, justices will hear 20 minutes of reasoning from attorneys for each side — no witnesses, no new evidence that wasn't already part of the trial in whatever court appealed to the Supreme Court. After that, the wait is on for a published decision.

The court tries to match venues with cases that might hold some regional interest, said Lorrie Thompson, a spokeswoman for Washington State Courts. However, this visit actually is a reschedule of a visit from two years ago.

"It's mostly just luck that the Sakuma case is of strong interest to the community around Toppenish," Thompson said in an email. "It's our understanding that there's a lot of interest in that case and we expect the room to be pretty packed."

At 1:30 p.m., the justices will hear oral arguments in that case. The justices are being asked to decide if agricultural workers hired by the piece — number of trees pruned, bins picked or blossoms thinned — should be paid for their rest breaks above and beyond the agreed upon piece-rate wage and, if so, how much.

The case has attracted the attention of legal groups on both sides from around the state and country.

Labor rights advocates argue piece rate workers should be paid separately for their breaks to ensure they take them. Employer groups and farmers counter piece rate wages already include enough to allow for rest breaks.

Millions of dollars in both past and future wages could be at stake.

Pear and apple farmers alone could be on the hook for \$25 million in wages, interest and penalties just for their seasonal harvest employees for the past three years, according to one attorney representing the side of the farmers.

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Related Information

If you go ...

The state Supreme Court will hold public events two days next week at Heritage University in Toppenish.

At 1:15 p.m. Monday, the court's nine justices will hold an open public forum for general questions at the university's Smith Family Hall.

On Tuesday, the court will hear [oral arguments in three cases](#), two at 9 a.m. and one at 1:30 p.m., also in Smith Family Hall. The afternoon case is Demetrio v. Sakuma Bros. Farms, which deals with rest break pay for agricultural workers.